

HOME BASED BUSINESS

What is a home based business?

The planning scheme defines a home-based business as 'a dwelling used for a business activity where subordinate to the residential use of the premises'.

A range of small-scale business uses can be considered a home-based business provided it is subordinate to the residential use of the premises and does not have an adverse impact on the streetscape or adjoining properties.

For example, you reside at a property and use one room of your house for an office for your accounting business.

In what zones are home based businesses expected?

A home-based business is a use expected to occur in the following zones:

- Low density residential zone
- Low-medium density residential zone
- Medium density residential zone
- Emerging community zone
- Rural zone
- Rural residential zone
- Township zone
- Major tourism zone

A home-based business is not expected to occur in other zones and will require planning approval.

What are requirements for a home based business?

Generally, a home-based business located in the above zones is accepted development subject to requirements. This means, if the home-based business meets all relevant acceptable outcomes, the home-based business is considered accepted development and does not require planning approval to be obtained prior to commencing the home-based business.

Please see the home-based business checklist for requirements for accepted development.

What if an Overlay applies to my property?

An overlay may influence whether planning approval is required

or require overlay codes in the planning scheme to be assessed.

The best way to check whether a property is affected by an Overlay, is to view the Planning Scheme Overlay mapping online. If your property is located in the Bushfire hazard overlay, Biodiversity or Flood hazard, Landslide hazard, Storm tide hazard overlay, planning approval is likely to be required.

Is short-term accommodation activities or holiday letting a home based business?

Yes and no. A bed and breakfast which is small in scale, subordinate to and associated with a residential use, and the host resides on the property as their primary place of residence at the same time as the guests, is considered a home-based business.

Accommodation activities are not considered a home-based business where:

- not small in scale, and/or
- not associated with a residential use occurring on the site, and/or
- the host does not reside at the property as their primary place of residence at the same time as the guests, and/or
- includes camping or caravans.

This type of accommodation activities is defined as short-term accommodation and require a planning application to be lodged with Council.

How do I receive further assistance?

Council has further information available via the website.

While Council aims to assist applicants through the process, many applications are complicated and deserve the attention of a consultant (town planner, surveyor or other appropriately qualified professional) for help with the proposal.

The Livingstone Planning Scheme 2018 and interactive zone and overlay mapping can be found on Council's website.

Related Websites and Information

Livingstone Shire Councils Planning Scheme

<https://www.livingstone.qld.gov.au>

Livingstone Shire Councils Interactive Mapping

<https://livingstone.maps.arcgis.com>